

Docket No.: 415852000200
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christopher J. BURNS et al.

Application No.: 10/581,534

Confirmation No.: 6170

Filed: December 3, 2004 (Int'l)

Art Unit: 1645

For: TUBULIN INHIBITORS

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has an error in the name of the inventor Collette Gloria Sims.

Under the Applicant(s) section, the language should be changed to read:

“Collette Gloria Kewdale;” --Collette Gloria SIMS;--

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: June 11, 2008

Respectfully submitted,

Electronic signature: /Leslie A. Robinson/
Leslie A. Robinson
Registration No.: 54,403
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
(858) 314-7692

RECEIVED

APR 15 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF
United States Patent and Trademark
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

MORRISON & FOERSTER
DOCKETING

| APPLICATION NUMBER | FILING or 371(c) DATE | FIL FEE REC'D |
|-----------------------|--------------------------|---------------|
| 10/581,534 | 06/01/2006 | 650 |

25225

MORRISON & FOERSTER LLP
12531 HIGH BLUFF DRIVE
SUITE 100
SAN DIEGO, CA 92130-2040



DOCKETED: Correct OFR
REMINDER: 5-11-08
FINAL DUE DATE: _____

Date Mailed: 04/11/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Christopher John Burns, Victoria, AUSTRALIA;
Andrew Frederick Wilks, Victoria, AUSTRALIA;
Michael Francis Harte, Victoria, AUSTRALIA;
Harrison Sikanyika, Victoria, AUSTRALIA;
Emmanuelle Fantino, Victoria, AUSTRALIA; --- Collette Gloria SIMS ---
~~Collette Gloria Kowdale, Perth, AUSTRALIA;~~

Power of Attorney: The patent practitioners associated with Customer Number 25225**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/AU04/01689 12/03/2004

Foreign Applications

AUSTRALIA 2003906680 12/03/2003

If Required, Foreign Filing License Granted: 04/10/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/581,534**

Projected Publication Date: 371 Perfected**Non-Publication Request:** No**Early Publication Request:** No**** SMALL ENTITY ****

Title

Tubulin Inhibitors

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DECLARATION FOR PATENT APPLICATION
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
529282002200

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TUBULIN INHIBITORS

the specification of which (check only one item below):

- ☐ is attached hereto.
- ☐ was filed as United States application
Serial No.
on ,
and was amended on * (if applicable).
- ☒ was filed as PCT international application
Number PCT/AU2004/001689
on 3 December 2004,
and was amended under PCT Article 19
on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations § 1.56(a) and (b).

I hereby claim foreign priority benefits under Title 35 United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:

| COUNTRY (if PCT indicate "PCT") | APPLICATION NUMBER | DATE OF FILING | PRIORITY CLAIMED UNDER 35 U.S.C. § 119 |
|------------------------------------|--------------------|-----------------|---|
| Australia | 2003906680 | 3 December 2003 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

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|--|----------------------------|--|--------------------------------------|--|-----------|
| Declaration for Patent Application (Continued) (Includes Reference to PCT International Applications) | | | | ATTORNEY'S DOCKET NUMBER 529282002200 | |
| I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application: | | | | | |
| PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120: | | | | | |
| U.S. APPLICATIONS | | | | STATUS (Check one) | |
| U S APPLICATION NUMBER | U S FILING DATE | | PATENTED | PENDING | ABANDONED |
| | | | | | |
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| PCT APPLICATIONS DESIGNATING THE U.S. | | | | STATUS (Check one) | |
| PCT APPLICATION NUMBER | PCT FILING DATE | U S SERIAL NUMBERS ASSIGNED (if any) | PATENTED | PENDING | ABANDONED |
| | | | | | |
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| | | | | | |
| POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number) | | | | | |
| <u>Attorneys at Morrison & Foerster associated with CUSTOMER NO. 25225</u> | | | | | |
| Send correspondence to: Emily C. Tongco Morrison & Foerster LLP 12531 High Bluff Drive, Suite 100 San Diego, CA 92130-2040 | | | | Direct telephone calls to: Emily C. Tongco at (858) 314-5413 | |
| 201 | FULL NAME OF INVENTOR | FAMILY NAME BURNS | FIRST GIVEN NAME Christopher | SECOND GIVEN NAME John | |
| | RESIDENCE & CITIZENSHIP | CITY Seddon | STATE OR FOREIGN COUNTRY Victoria | COUNTRY OF CITIZENSHIP Australia | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 3 Browning Street | CITY Seddon | STATE & ZIP CODE/COUNTRY Victoria 3011 Australia | |
| 202 | FULL NAME OF INVENTOR | FAMILY NAME WILKS | FIRST GIVEN NAME Andrew | SECOND GIVEN NAME Frederick | |
| | RESIDENCE & CITIZENSHIP | CITY South Yarra | STATE OR FOREIGN COUNTRY Victoria | COUNTRY OF CITIZENSHIP Australia | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 6 MacFarlan Lane | CITY South Yarra | STATE & ZIP CODE/COUNTRY Victoria 3141 Australia | |
| 203 | FULL NAME OF INVENTOR | FAMILY NAME HARTE | FIRST GIVEN NAME Michael | SECOND GIVEN NAME Francis | |
| | RESIDENCE & CITIZENSHIP | CITY Viewbank | STATE OR FOREIGN COUNTRY Victoria | COUNTRY OF CITIZENSHIP Australia | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 9/62 Meyrick Crescent | CITY Viewbank | STATE & ZIP CODE/COUNTRY Victoria 3084 Australia | |
| 204 | FULL NAME OF INVENTOR | FAMILY NAME SIKANYIKA | FIRST GIVEN NAME Harrison | SECOND GIVEN NAME | |
| | RESIDENCE & CITIZENSHIP | CITY Kilsyth | STATE OR FOREIGN COUNTRY Victoria | COUNTRY OF CITIZENSHIP Zambia | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 2 Pitt Road | CITY Kilsyth | STATE & ZIP CODE/COUNTRY Victoria 3137 Australia | |
| 205 | FULL NAME OF INVENTOR | FAMILY NAME FANTINO | FIRST GIVEN NAME Emmanuelle | SECOND GIVEN NAME | |
| | RESIDENCE & CITIZENSHIP | CITY Elwood | STATE OR FOREIGN COUNTRY Victoria | COUNTRY OF CITIZENSHIP France | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 1/3 Alfriston Street | CITY Elwood | STATE & ZIP CODE/COUNTRY Victoria 3184 Australia | |
| 206 | FULL NAME OF INVENTOR | FAMILY NAME SIMS | FIRST GIVEN NAME Colette | SECOND GIVEN NAME Gloria | |
| | RESIDENCE & CITIZENSHIP | CITY Kewdale | STATE OR FOREIGN COUNTRY Perth | COUNTRY OF CITIZENSHIP Australia | |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 191 Kew Street | CITY Kewdale | STATE & ZIP CODE/COUNTRY Perth 6105 Australia | |

| | | |
|--|-------------------------------|------------------------------|
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p> | | |
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| <i>Christopher John Burns</i> | <i>Andrew Frederick Wilks</i> | <i>Michael Francis Harte</i> |
| Christopher John BURNS | Andrew Frederick WILKS | Michael Francis HARTE |
| DATE | DATE | DATE |
| 11th April 2006 | 13th April 2006 | 11.4.6 |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205 | SIGNATURE OF INVENTOR 206 |
| <i>Harrison Sikanika</i> | <i>Emmanuelle Fantino</i> | |
| Harrison SIKANIKA | Emmanuelle FANTINO | Colette Gloria SIMS |
| DATE | DATE | DATE |
| 02 May 2006 | 11th April 2006 | |

| | | |
|--|---------------------------|-----------------------------|
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p> | | |
| SIGNATURE OF INVENTOR 201 | SIGNATURE OF INVENTOR 202 | SIGNATURE OF INVENTOR 203 |
| Christopher John BURNS | Andrew Frederick WILKS | Michael Francis HARTE |
| DATE | DATE | DATE |
| SIGNATURE OF INVENTOR 204 | SIGNATURE OF INVENTOR 205 | SIGNATURE OF INVENTOR 206 |
| Harrison SIKANYIKA | Emmanuelle FANTINO | Colette Gloria SIMS |
| DATE | DATE | DATE |
| | | 13 th April 2006 |